



NEVADA CITY POLICE DEPARTMENT

Nevada City, California



TO: Honorable City Council Members

FROM: Louis A. Trovato, Chief of Police

DATE: February 5, 2010

RE: Monthly Council Report – December 2009

Attached are the Nevada City Monthly Statistical Report Citation Summary, Dispatch Statistics, City of Grass Valley Animal Control Monthly Report and the City's share of fines and forfeitures.

Respectfully Submitted,


Louis A. Trovato
Chief of Police

Nevada City
Police Department



Monthly Statistical Report

12/01/09 through 12/31/09

	Current Period	%	Cleared	Same Period Last Year	%	Cleared	% Change
Total Workload	435	100		455	100		-4.39
Total Self Initiated Activity	257	59.08		207	45.49		24.15
Total Calls for Service	178	40.91		248	54.50		-28.22
Priority 1	6	3.37		12	4.83		-50.00
Priority 2	111	62.35		150	60.48		-26.00
Priority 3	55	30.89		81	32.66		-32.09
Priority 4	6	3.37		5	2.01		20.00
Total Incident Reports	77	100	27	64	100	26	20.31
# Mail-out Reports	0		0	0		0	
Homicide	0		0	0		0	
Rape	0		0	0		0	
Robbery	0		0	1		1	-100.00
Firearms	0		0	0		0	
Knife	0		0	0		0	
Other Weapon	0		0	0		0	
Strong Arm	0		0	1		1	-100.00
Assaults	1		0	3		3	-66.66
Firearms	0		0	0		0	
Knife	0		0	0		0	
Other Weapon	1		0	1		1	
Other Aggravated	0		0	0		0	
Non-Aggravated	0		0	2		2	-100.00
Burglary	2		0	2		1	
Residential	2		0	0		0	
Non-Residential	0		0	2		1	-100.00
Thefts	2		0	5		0	-60.00
Shoplifting	0		0	3		0	-100.00
Auto Burglary	0		0	0		0	
All Other	2		0	2		0	
Motor Vehicle Theft	0		0	0		0	
Forgery / Fraud / Embezzlement	0		0	0		0	
Vandalism	3		0	2		0	50.00
Weapons Offenses	0		0	0		0	
Prostitution / Sex Offenses	0		0	1		0	-100.00
Offenses Against Family	0		0	0		0	
D.U.I.	4		4	3		3	33.33
Liquor Laws / Drunkenness	4		4	7		7	-42.85
All other Offenses	50		19	30		11	66.66
Total Crimes Reported	66		27	54		26	22.22
Total Arrests	18			28			-35.71
Adult	17			25			-32.00
Juvenile	0			0			
Warrant Arrests	1			3			-66.66

Nevada City Police Department



CITATION SUMMARY

12/01/2009 00:00 to 12/31/2009 23:59

CITATION NO.	ISSUED	LOCATION	DISTRICT	ZONE
5382	12/02/2009	NATIONAL ALLEY at BROAD STREET,	2	2
CLASSIFICATION	21657VC	DRIVING WRONG WAY ON ONE WAY		
5383	12/03/2009	AIRPORT RD, NEVADA CITY	5	5
CLASSIFICATION	23222(b)VC	POSSESSION OF MARIJUANA IN		
5384	12/19/2009	COLFAX DR at HENDERSON STREET,		
CLASSIFICATION	23222(b)VC	POSSESSION OF MARIJUANA IN		
CLASSIFICATION	14601.1aVC	SUSPENDED/REVOKED LICENSE		
6678	12/09/2009	SYLVAN at LINDLEY, NEVADA CITY		
CLASSIFICATION	4000(a)VC	EXPIRED REGISTRATION		
CLASSIFICATION	12951(a)VC	NO LICENSE IN POSS.		
CLASSIFICATION	16028(a)VC	NO PROOF OF INSURANCE		
6679	12/16/2009	SACRAMENTO at ZION, NEVADA CITY		
CLASSIFICATION				
6780	12/05/2009	at COMMERCIAL ST. PARKING LOT,	1	
CLASSIFICATION	9.16.010	POSSESSION OF OPEN CONTAINER		BEHIND STAMP PRESS IN COMMERCIAL ST. LOT
6781	12/15/2009	COMMERCIAL ST. at PARKING LOT,	1	
CLASSIFICATION	9.16.010	POSSESSION OF OPEN CONTAINER		
6782	12/15/2009	COMMERCIAL ST. at PARKING LOT,	1	
CLASSIFICATION	9.16.010	POSSESSION OF OPEN CONTAINER		
6954	12/01/2009	BROAD ST at UNION ST, NEVADA CITY	8	2
CLASSIFICATION	4000(a)VC	EXPIRED REGISTRATION		EXPIRED 02/2007
6955	12/18/2009	HWY 49 at COYOTE ST, NEVADA CITY	8	2
CLASSIFICATION	4000(a)VC	EXPIRED REGISTRATION		EXPIRED 10/2009
6956	12/19/2009	N/B HWY 49 at GOLD FLAT ON, NEVADA	8	4
CLASSIFICATION	4000(a)VC	EXPIRED REGISTRATION		EXPIRED 08/2008
CLASSIFICATION	16028(a)VC	NO PROOF OF INSURANCE		
6957	12/28/2009	792 SEARLS AV, NEVADA CITY	8	4
CLASSIFICATION	OUTSIDE WARR	OUT OF COUNTY WARRANT		CITE AND RELEASE
6958	12/29/2009	ZION ST at ARGALL WY, NEVADA CITY	8	4
CLASSIFICATION	12500(a)VC	UNLICENSED DRIVER		
6982	12/04/2009	ZION STREET at RIDGE ROAD, NEVADA	8	4
CLASSIFICATION	22350VC	BASIC SPEED LAW		
6983	12/05/2009	NEVADA CITY HIGHWAY at RIDGE ROAD,	8	4
CLASSIFICATION	4000(a)VC	EXPIRED REGISTRATION		
6984	12/05/2009	HWY 49 at UREN, NEVADA CITY	8	2
CLASSIFICATION	4000(a)VC	EXPIRED REGISTRATION		
6985	12/15/2009	W. BROAD STREET at BROAD STREET,	8	2
CLASSIFICATION	4000(a)VC	EXPIRED REGISTRATION		
6986	12/15/2009	GOLD FLAT RD at SEARLS AVE, NEVADA	8	4
CLASSIFICATION	22450(a)VC	FAILURE TO STOP AT STOP SIGN/ OR		
6987	12/20/2009	ZION STREET at BROCK ROAD, NEVADA	8	4
CLASSIFICATION	22350VC	BASIC SPEED LAW		

Total Violations 15

NEVADA CITY POLICE DEPARTMENT CITATION SUMMARY

Total Parking Citations December 2009	23
Total Parking Citations November 2009	80
Total Parking Citations October 2009	108
Total Parking Citations September 2009	57
Total Parking Citations August 2009	92
Total Parking Citations July 2009	104
Total Parking Citations June 2009	98
Total Parking Citations May 2009	159
Total Parking Citations April 2009	203
Total Parking Citations March 2009	204
Total Parking Citations February 2009	178
Total Parking Citations January 2009	147

Total Basic Speed Violations December 2009	2
Total Basic Speed Violations November 2009	4
Total Basic Speed Violations October 2009	1
Total Basic Speed Violations September 2009	1
Total Basic Speed Violations August 2009	0
Total Basic Speed Violations July 2009	5
Total Basic Speed Violations June 2009	1
Total Basic Speed Violations May 2009	2
Total Basic Speed Violations April 2009	5
Total Basic Speed Violations March 2009	2
Total Basic Speed Violations February 2009	1
Total Basic Speed Violations January 2009	4

NCSO - Nevada City 911 Dispatch Stats 2009

<u>Month</u>	<u>Avg sec. to ans 911</u>	<u>Avg 911 call in sec.</u>	<u>911 BUSN</u>	<u>911 RESD</u>	<u>911 Pay\$</u>	<u>911 VoIP</u>	<u>W911</u>	<u>W911ph2</u>	<u>911 PBX</u>	<u>Other</u>
January	4	72	74	662	11	13	59	45	19	15
February	3	73	71	707	8	10	59	45	27	21
March	4	94	73	673	7	11	48	65	26	24
April	3	68	84	638	11	7	61	57	32	35
May	3	72	86	692	12	4	67	80	21	21
June	4	73	75	674	8	10	67	73	22	29
July	4	85	100	795	16	7	80	82	20	33
August	3	74	82	770	30	7	89	103	19	17
September	4	72	96	625	17	17	52	77	19	10
October	3	74	78	635	12	7	52	68	20	21
November	3	78	82	618	12	5	133	112	12	11
December	3	76	61	760	9	1	192	106	19	9

Total	3.416666667	75.91666667	962	8249	153	99	959	913	256	246
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Total 911 calls 11837

CITY OF GRASS VALLEY
ANIMAL CONTROL - MONTHLY REPORT
DECEMBER 2009

	TOTAL	GRASS VALLEY	NEVADA CITY
Dogs Impounded	11	10	1
Dogs Turned In	6	5	1
TOTAL DOGS HANDLED	17	15	2
Dogs Redeemed	7	6	1
Dogs Adopted	7	7	0
Dogs to Humane Groups	0	0	0
Dogs Unadoptable Euthanized	3	2	1
Cats Impounded	4	4	0
Cats Turned In	6	4	2
TOTAL CATS HANDLED	10	8	2
Cats Redeemed	0	0	0
Cats Adopted	4	2	2
Cats to Humane Groups	4	4	0
Feral Cats Euthanized	2	2	0
Total Other Animals Handled	39	21	18
Animals Boarded for Police	5	3	2
Animals to Veterinarians	2	1	1
Animals Under Observation	0	0	0
Animals to Health Department	0	0	0
COMPLAINTS	60	39	21
WARNING NOTICES ISSUED	25	18	7
CITATIONS ISSUED	14	9	5
CALLS FOR SERVICE COMPLETED	93	65	28
POLICE OFFICER ASSISTS	5	3	2
MISSED CALLS	32	22	10
REDEMPTION & SALES	\$ 438.00		
BOARDING	\$ -		
DOG LICENSES SOLD	\$1,155.00		
TOTAL CASH RECEIPTS	\$1,593.00		
SPAY & NEUTER DEPOSITS	\$ 450.00		
4838 DONATIONS	\$ 142.00		

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF NEVADA**

Sean P. Dowling
Presiding Judge

G. Sean Metroku
Court Executive Officer

201 Church Street, Suite 6
Nevada City, CA 95959
(530) 265-1311

RECEIVED

JAN 25 2010

1/25/10

CITY OF NEVADA CITY

ATTN: Andrea

FAX 265-9259

Nevada City Police Department
317 Broad Street
Nevada City CA 95959-1311

Dear Finance Director:

The figures below indicate your city's share of the fines and forfeitures collected during the account period ended 12/31/09.

PC 1202.5 Crime Prvnt	1.93
PC 1463 General Fines & Forfeitures	101.35
PC 1463 Motor Vehicle Fines & Forfeitures	717.29
General Fund (exempt)	174.30
General fund (POC)	<u>3.30</u>

TOTAL \$ 1,004.17

Court Cost of Collection charged equally against all accounts, total for Nevada City for November, 2009 is: \$54.97.

Total amount of check to process is \$949.20

Respectfully,

Sarah Trudo
Court Accounting Technician

**CITY OF NEVADA CITY
DRAFT SUMMARY MINUTES
CITY COUNCIL MEETING OF FEBRUARY 10, 2010**

NOTE: This meeting is available to view on the City's website www.cityofnevadacity.gov – Go to **Quick Links** and Click on **Agendas & Minutes** and find the Archived Videos in the middle of the screen. Select the meeting date and Click on **Video** to watch the meeting. The agenda listed directly below the video screen has bullet points which you can select to get to a specific agenda item. Click on the desired agenda item which will enable you view the meeting from that point forward. Please contact Deputy City Clerk, Corey Shaver for websites assistance (530) 265-2496, ext 133.

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Regular meeting called to order at 6:30 p.m.

ROLL CALL

Present: Councilmembers Coffman, McKay, Vice Mayor Bergman, Mayor Senum
Councilmember Harris arrived @ 6:44 p.m.
Absent: None

PLEDGE OF ALLEGIANCE – Led by Boy Scouts of America

PROCLAMATION: 100th Anniversary of the Boy Scouts of America on February 8th
Read and presented by Mayor Senum

BUSINESS FROM THE FLOOR – PUBLIC COMMENT (Per Government Code Section 54954.3)
Al Bulf, Sacramento – Encouraged the Council to think in another direction when it comes to transportation. He distributed a handout on light rail vehicles. Thanked the Council for the opportunity to comment on planning considerations for Historic Nevada City's energy sustainability concerns.

1. COUNCILMEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:

Councilmember Coffman

- SEDCorp Annual Meeting – Distributed a scope of work handout on regarding the economic development grant with parking for Nevada City's the main item; currently three counties are part of SEDCorp and there is a proposal to add more counties bring it to total of 7 counties. If changes take place, the fee structure would change and the cost to Nevada City will be \$500 year. The new Federal Trade Commission Identity Theft Laws go into effect in June. SEDCorp is offering a seminar February 17th from 6-9 p.m. in Auburn. The Small Business Development Center at Sierra College has closed. Indicated that SEDCorp offers training for small business. For more information, www.sedcorp.biz.
- Geo Tourism Program – In conjunction with Sierra Nevada Conservancy and National Geographic, a handout was distributed on this program promoting natural resources, historical locations and things for stewardship. For more information, www.sierranevadageotourism.org.

Councilmember Harris

- Per Strategic Plan item, had first meeting with the Finance Director and Mayor to develop a community grant process and will schedule a workshop with community/partners involvement in May but will come to the Council first describing the nature of that workshop and then come back to the Council with results.
- Attended Fire Meeting with Nevada City, Grass Valley and Consolidated – Moving forward, looking at a JPA for the administrative aspect only (not the fire fighters) and finalize a presentation in March and go to the Council's and Boards in April; a start of the process.

Mayor Senum

- Energy Solutions Task Force Meeting – Looking at the affects of short, mid and long range gas/ fuel shortages; will come forward in about 30 days with some recommendations for the Council to consider.

Vice Mayor Bergman

- Economic Resource Council – Point of interest is the Broadband effort is continuing. Expectation of the application to be rejected by Dept of Agriculture; it has already been rejected by Dept of Commerce. Looking at a second round of funding; modify application and re-submit.

2. CONSENT ITEMS:

- A. Fire Dept Activity Report for January 2010
- B. Resolution No 2010-06 Authorizing the City Engineer to Execute Letters Certifying Right-of-Way Acquired for Federally Funded Transportation Projects in Accordance with Federal Regulations
- C. Approval of Accounts Payable for January 2010

Action: Motion by Coffman, seconded by McKay to approve Consent Items A & C.
(Approved 5 – 0)

Motion by Harris, seconded by Coffman to reconsider Resolution No. 2010-06 (title only) and approve amended version.
(Approved 5 – 0)

3. APPROVAL OF MINUTES:

- A. Regular City Council Meeting Minutes for January 27, 2010

Direction: Bring back Minutes of January 27, 2010 as amended and to include Council discussion on Item 4B – Design and Use Changes to George Calanan Park.

4. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

A. Parks & Recreation:

Subject: Results of Survey – Website Effectiveness with the Community – Dawn Zydonis

Dawn Zydonis, Parks & Recreation Supervisor reported results of the survey included in the packet. Survey was posted on the website and 6 people responded with the majority finding the Nevada City website to be effective.

- Councilmember Harris suggested providing a link on the Zoning Map to get to the City Map.
- Councilmember Coffman asked if it could be known how many people use the website. Zydonis responded that she would check with John Paul who set up the website for the City.

Action: Reviewed and Filed.

B. Administration & Finance

Subject: Strategic Plan Update – Gene Albaugh

Gene Albaugh, City Manager referred to the Six Month Strategic Objectives and Three-Year Goal matrix included in the packet.

Action: Reviewed and Filed.

Subject: Consider Resolution No. 2010-07 Regarding CalPERS Employer Paid Member Contributions to the Public Employee's Retirement System – Catrina Andes
Catrina Andes, Finance & Human Resources Director reported referring to the document included in the packet.

Action: Motion by McKay, seconded by Coffman to approve Resolution 2010-07 Regarding CalPERS Employer Paid Member Contributions to the Public Employee's Retirement System as presented.
(Approved 5 – 0)

Subject: Consider Resolution No. 2010-08 Amending Resolution No. 2010-03 Revising the New Safety Employee Retirement System to 2% at Age 55.
Catrina Andes, Finance & Human Resources Director reported referring to the document included in the packet.

Action: Motion by Coffman, seconded by Bergman to approve Resolution No. 2010-08 Amending Resolution No. 2010-03 Revising the New Safety Employee Retirement System to 2% at Age 55 as presented.

Subject: Quarterly Financial Update – Catrina Andes
Catrina Andes Finance & Human Resources Director presented the FY 2009-10 2nd Quarter Finance Reports included in the packet. There is a correction that was brought to her attention by Councilmember Harris in the December 2008 numbers; for Sales Tax - originally reported 459 in 2008 and 254 in 2009; Measure S - reported 237 for 2008 and 258 for 2009. those should read 399 for 2008 Sales Tax and 298 for 2009 as one of the Measure S payments was recorded as Sales Tax (got flipped). The result is that Sales Tax is down approximately 36% not 55%. She continued to read the Staff Report that highlights the 2nd Quarter Financial Reports.

-Councilmember Coffman commented that it is incredible that everybody has stepped up and made the cuts necessary to meet the needs of the City in these economic times.

- Mayor Senum agreed.

- Councilmember Harris also agreed and added with no reduction in service. She summarized Catrina's report – The budget numbers are simply adjusted to reflect our actual spending level. The only revenue area that appears to be reflecting a shortfall to budget is sales tax. The State is being conservative with their financial crisis and playing catch-up on a timing level. Key reduction points are: one furlough day per month, reductions in Public Works, reduction of some hours in management positions; and with the Police Grant brings the department in full service.

- Catrina Andes added that we are working with OneStop to obtain two additional people to help in Public Works and administration at no cost to the City until September 2010.

- Gene Albaugh, City Manager indicated that there was a comment in an article in today's Union newspaper that the City is looking at more lay-offs. That is not the case and it triggers the blog area with inaccurate information; the City is doing very well in a very tough economy.

- Councilmember McKay commented that the Strategic Planning Retreats provide positive assistance in this economy keeping everyone on track.

- Vice Mayor, Bergman gave his thanks to staff.

Action: Accept and File.

Subject: Consider Resolution No. 2010-09 Extending the 20% Rental Rate Reduction on City Properties for an Additional 13 Months to February 28, 2011.

Action: Motion by McKay, seconded by Bergman to approve Resolution No. 2010-09 Extending the 20% Rental Rate Reduction on City Properties for an Additional 13 Months to February 28, 2011 as presented.
(Approved 5 – 0)

Subject: Completion Report of Actual Measure S Street Paving Expenditures for 2009 – Bill Falconi
Bill Falconi, City Engineer presented that he is required to submit an annual report that is included in the packet and will bring to the next Council meeting a Phase 2 Report adding another column showing changes.

Action: Received and filed Measure S 2009 Yearly Report and will bring Phase 2 to the next City Council Meeting.

Mayor Senum called a 5 minute recess.

Public Comment was not offered prior to the recess, therefore Mayor Senum opened the floor to public comment.

Patty Foster, 11355 Wet Hill Rd and on the Measure S Committee – Wants to give recognition to Bill Falconi because he has kept these committee meetings invaluable.

Al Bulf, Sacramento – Made reference to the Engineering News Review and encouraged the City to look at indigenous materials instead of pavement.

PUBLIC HEARINGS

None

5. OLD BUSINESS:

A. Subject: Consider Resolution No. 2010-XX Approving Submittal of a Grant Application for a Catalyst Project for California Sustainable Strategies – Pilot Program Concept for EcoDistricts

Mayor Senum indicated that the resolution for a Catalyst Project included in the packet would not be voted on tonight and is pulled from the agenda. She indicated that the City is looking at hiring Darin Dinsmore securing a \$10,000 fee and creating a green team to develop a sustainability plan for an EcoDistrict concept. To include two half day workshops, application, grant writing, tracking and measurements that comes along with the plan. Mayor Senum indicated that she met with Bill Finley with the Private Industry Council and told him about the EcoDistrict concept and he may be interested in partnership that would include financing and helping with grant writing.

Darin Dinsmore, Principal and Theresa May Duggan, Community Organizer of Sustainable Community Strategies, made presentation based on the information included in the packet. After the presentation, Mr. Dinsmore indicated that he realizes that the City doesn't have the funding at this time, so he recommends creating holistic integrated plan to use to get the funding elements in place that are visual, compelling, community based and measurable: 1) holistic plan through public process, 2) implementation program like EcoDistrict, and 3) measuring and tracking system. These elements are what the state is looking for in applications. We would help facilitate the City's program based on your team you put in place.

- Councilmember Harris commented that she is glad they sat through the budget status to understand that job creation and economic resilience would be things that are important for the City in the near future.
- Gene Albaugh, City Manager asked how this program would mesh with the Energy Solution Task Force and mentioned that we have a local grant writer that is doing a great job for the solar incubator project at the airport property.
- Mayor Senum commented that dove-tailing energy and water conservation will give us a better chance of getting funding because of a dual approach.
- Councilmember McKay agreed.
- Councilmember Coffman indicated that the City's General Plan does need to be updated and to include sustainability.
- Vice Mayor Bergman indicated that this committee ends up formulating the plan that becomes the grant proposal. He requested clarity in the contractual connection; how does the money flow through to the end.
- Councilmember McKay indicated that the money will be offered by in-kind services.
- Mayor Senum said if there's a will, there's a way.
- Councilmember Coffman indicated that the City has no in-kind money, limited staff resources and the project has to be designed for the actual taxpayer's who actually live here to step forward and approve City's limited resources for the project to go forward.

Tom, 155 King Hiram Lane – There are many local groups looking at grants; the economy is not recovering and the City needs to do this. Indicated that you need people that are paid to make it happen. Three goals of importance; 1) conservation, 2) efficiency measures, 3) renewable and finally, do diligence once the three components are in place.

Katy McCamant, 504 Redbud Way – The synergy is building in Nevada City and times are changing. We have a real opportunity with Nevada City being a resource extraction town. Urge the Council to support this idea.

- Councilmember Harris indicated that she agrees with Katy and the energy is here, time is right, very exciting and great. Suggested to pursue this with an understanding that the City is very limited in the financial budget, staff is at full level, so it would need to look at a way that will have a light impact both financially and time wise to staff. If interested and we decide to move forward, is to appoint somebody on Council to move forward based on the parameters that are agreed on.
- Vice Mayor Bergman agreed.
- Councilmember McKay indicated that Nevada City elected us and they look to us to get things done. Doesn't agree to have committee members only from within city limits. There are qualified people outside a 3-digit address.

- Mayor Senum indicated that we look into a citywide plan.
- Councilmember Coffman indicated she is glad to see it be more of a generalized program and wants to clarify that she's not opposed to outside the city limit's people as not welcome to participate, but wants to engage the citizens of Nevada City to make sure they are interested.
- Gene Albaugh, City Manger suggested to have someone on staff be involved.

Direction: Darin recommended to create an interim green team, minimum two meetings and their job is to help prepare and seek funding opportunities with four components in place; 1) create citywide framework (i.e. to include planning), 2) implementation, 3) focus on jobs in the economy, 4) tracking system in place. Green team to include Mayor Senum, Vice Mayor Bergman and one staff member with a spectrum of people from non-profits, the business community and conservation community and to be posted on the website. Darin Dinsmore to email language for a resolution to the City Manager.

Subject: Consider Ordinance No. 2010-02 Amending and Adding to Chapter 5.20 of the Nevada City Municipal Code Authorizing Administrative Approval for Non-Exclusive Operation of Taxicabs in Nevada City. Introduction and First Reading.

Hal DeGraw, City Attorney – Action item from October 28, 2009 meeting was revising language to approve administratively. A draft of the Ordinance is included in the packet with highlighted language changes. The word "reputable" pertaining to the insurance company will be corrected with standard language from a contract.

Action: Motion by McKay, seconded by Coffman to read title only.
(Approved 5 – 0)

6. NEW BUSINESS:

ITEM CARRIED OVER FROM PREVIOUS COUNCIL MEETING

Subject: Consider Options for City Restroom Facilities at 101 Nevada Street
Verne Taylor, Public Works Director indicated that the restrooms were closed due to safety considerations. Recommends the removal of the restrooms which will open up 2 new parking spaces; recommends removing the bus spaces which will add 4-5 parking spaces giving a total of 7 all day additional parking spaces. Does not recommend refurbishing them. The City has plenty of public restrooms for a town this size.

- Councilmember Coffman indicated that the intent of the Economic Enhancement Team (EET) meetings was that once the Robinson Plaza restrooms were built, the Nevada Street restrooms were to be eliminated. She asked if parking mitigation fees will pay for the tear down of the restrooms and re-stripe of new parking spaces so the money doesn't come out of General Fund or Public Works Dept budget.
- Councilmember Harris stated that she recalls the cost of creating one parking space is \$13,000 and by tearing these restrooms down and gaining 7 new spaces equals to a \$91,000 benefit.

Gary Tintle, Representing the Chamber of Commerce – Here tonight to convey the results of a survey that was done by the Chamber on their website regarding the public restrooms. Three out of 30 were in favor to remove them and make them parking spaces, 5-6 approved of moving them if some others were put in their place somewhere else in the city, and the rest in were in favor of keeping the but provide better maintenance and better policing.

- Bill Falconi, City Engineer indicated that since the bathroom closure that he has not received one complaint of them being closed.
- Councilmember Harris indicated that the restrooms should have been closed at the time the Robinson Plaza restrooms were opened because now it appears that we're taking something away; which was the intent of the EET. Suggested talking to the Chamber so they understand before we make a decision.

Action: Motion by Coffman, seconded by McKay to remove the restroom facilities at 101 Nevada Street because of their state of deterioration and unsafe condition and replace with as many new parking spaces (7) in their place.

(Approved 4 – 1; Ayes-Senum, Bergman, Coffman, McKay; Noes-Harris (opposing not because she I wants them re-opened, because the process would be more inclusive if it were ran through Chamber).

7. CORRESPONDENCE:

- A. Thank you Note from SYRCL in Appreciation of Support From the City and City Staff on the Very Successful Wild and Scenic Film Festival

Action: Received and filed.

8. ANNOUNCEMENTS

McKay announced the Mardi Gras Parade is Sunday, February 14th.

9. CITY MANAGER'S REPORT

Action: Received and filed.

10. CLOSED SESSION:

Adjournment to Closed Session for the Following Purposes:

Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(a) – Austin & Associates v. City of Nevada City

Action: Motion by Harris, seconded by Coffman
(Approved 5 – 0)

City Attorney announced there was nothing to report

11. ADJOURNMENT:

Action: Motion made by McKay, seconded by Coffman to adjourn the meeting at 9:37 p.m.
(Approved 5 – 0)

Reinette Senum, Mayor

ATTEST:

Niel Locke, City Clerk

**CITY OF NEVADA CITY
SUMMARY MINUTES
CITY COUNCIL MEETING OF JANUARY 27, 2010**

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Regular meeting called to order at 6:30 p.m.

ROLL CALL

Present: Councilmembers Coffman, Harris, McKay, Vice Mayor Bergman, Mayor Senum

Absent: None

PLEDGE OF ALLEGIANCE - Led by Sean Metroka, Court Executive Officer

PRESENTATION:

Council Recognition of City Planner, Cindy Siegfried's Completion of the University of California, Davis Land Use and Environmental Planning Certificate Program.

City Manager, Gene Albaugh read a letter dated December 17, 2009 addressed to Cindy Siegfried recognizing her Certificate Graduate with the UC Davis Extension Program.

(1) Presentation and Update on Efforts to Keep the Nevada City Superior Courthouse in Nevada City – Committee Chairman, Paul Matson and Sean Metroka, Court Executive Officer

Court update presentation included but was not limited to the following points made: County owns 49% with State of California owning 51% of the courts; at concept phase only to prove the need to replace the courthouse in Nevada City; the State has established the current facility is inadequate (move, rent, or renovate). Primary problems in the buildings are 1) security within the building, 2) size of courtrooms are too small, 3) insufficient parking, 4) concern with court functions during construction if it were to stay in its existing location. Mr. Metroka believes influence from City Council would be helpful to the Project Advisory Group.

Conley Weaver, 237 Boulder St, stated he is serving on the committee trying to find an approach to the solution and we need to make it known how important it is to the City of Nevada City to keep this courthouse facility here. Strongly urges the council to pass a resolution making it known to the importance and welfare to citizens to keep the courthouse in Nevada City and if possible in its existing location.

Direction: City Manager to be point person and look into drafting a resolution to present at the State level regarding the importance of keeping the courthouse within the City of Nevada City.

2) Presentation on the California Preservation Foundation (CPF) in Partnership with the National Trust for Historic Preservation (NTHP) Conference – Jennifer Gates, AICP, Field Service Director and Cindy Heitzman, Executive Director.

Cindy Heitzman opened the presentation by thanking the Council for their support and announced the California Preservation Foundation's 34th Annual Conference is being held in Nevada County, Grass Valley, and Nevada City May 12-15, 2010 offering a series of workshops available to the public throughout the conference. Introduced Jennifer Gates as their new Field Service Director funded through a three year grant program, developing a forum for community regarding the economic benefits of historical preservation.

Mali Dyck, A.P.P.L.E. Center, 412 Commercial

Thanked Cindy Heitzman for bringing to the conference to the community and to Nevada City. Also noted that the A.P.P.L.E. Center's theme for May/June is "building performance and energy efficiency" and encouraged everyone to come view the exhibits.

BUSINESS FROM THE FLOOR – PUBLIC COMMENT (Per Government Code Section 54954.3)
None

1. COUNCILMEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:

Councilmember Harris

- Transit Services Commission: Indicated that the State's sales tax is less money this year (Fiscal Year) than expected. There will be a special meeting next month and staff recommends retaining the core.
- League of California Cities Conference in Sacramento and has information to pass along to the City Manager, possible new funding sources for Nevada City.

Councilmember McKay

- Strategic Planning Session that the Council, Planning Commissioners, Staff (managers and supervisors) attended was successful and the matrix outcome is phenomenal for Nevada City efficiency.
- Park & Recreation Committee – Agenda item was Hirschman's Pond Master Plan which includes grants for trail and development and passive open space; will present to Council in April.

Councilmember Bergman

- LAFCO January Meeting where staff (City Planner, Fire Chief, Engineer) provided update of the Sphere of Influence.

2. CONSENT ITEMS:

- A. Police Department Activity reports for August & November 2009
- B. Approve Resolution No. 2010-04, Calling for the General Municipal Election

Action: Motion by Coffman, seconded by Bergman to approve Consent Items A & B.
(Approved 5 – 0)

3. APPROVAL OF MINUTES:

- A. Regular City Council Meeting Minutes for January 13, 2010

Action: Motion by Coffman, seconded by Bergman to approve Minutes as amended.
(Approved 5 – 0)

4. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

A. Parks & Recreation:

Subject: Consider Ordinance No. 2010-01 Amending and Adding to Chapter 8.24 of the Nevada City Municipal Code Prohibiting Smoking in Outdoor Public Places (Second Reading) and Adopting

Action: Motion by Harris, Second by McKay to read title only.
(Approved 5 - 0)

Direction: City Attorney, Hal Degraw to read Ordinance No. 2010-01 title only and noting a spelling correction; the word health should be healthy in the fifth Whereas.

Dawn Zydonis, Parks & Recreation Supervisor and Felicia Soboyna, Tobacco Use Prevention Coordinator for Nevada County. Ms. Soboyna thanked the Council for their support. In regards to signage; all of the signs will be paid for by the County but cannot pay for cigarette butt receptacles under Proposition 99.

Direction: Staff to review signs for approval prior to posting.

Lynn Skrukud – 18055 Starduster

Thanked the Council for supporting the cause.

Chris Kysar – California Organics

Appreciated the Council's care and concern.

Jeff Boswell – Unincorporated area of Nevada City

Stated that he has serious concerns that this might create a negative avenue for the rights of smokers.

Dr. Karen Milman, 106 Prospect St

Nevada County Health Officer stated this is an incredible step forward for keeping health and public rights in balance and thanked the Council for passing this ordinance.

Action: Motion by Harris, Second by Bergman to adopt Ordinance 2010-01 as submitted.
(Approved 4 – 1; Ayes – Senum, Bergman, Harris, McKay; Noes – Coffman)

B. Parks & Recreation

Subject: A Report Updating the City Council on the Design and Use Changes of George Calanan Park – Robert Bergman, Chair and Police Chief Louis Trovato of the Calanan Park Committee

- Vice Mayor Bergman stated that a committee was set up to look at problems and changes of the park to make it usable space to include everyone and should be a welcoming environment for everybody.

- Gary Tintle and Karin Kaufman reported that this park is a gateway to the City and a need to develop a place everyone can use. The Committee is voluntary. Calanan Park has received serious clean-up days to increase openness and light to the park.

- Karin Kauffman, Landscape Architect – 16059 Mountain View Dr, stated the purpose is to make the park more accessible in character and aesthetically pleasing. Currently it is dark, cluttered and uncomfortable. No connection to City with evergreen and hap-hazard artifacts; lack of open space. Ms. Kauffman presented a conceptual design showing two flat open areas connected by walkways at a 5% slope (affirmed by Freed). The plan keeps only the Redwood tree, the giant Sequoia will outgrow its space and the White Fir (Christmas tree) is dying per a certified arborist. The Redwood could become the new Christmas tree. Costs of implementing the preliminary design are \$114,000 (includes in-kind services) and funding in a phased approach can be considered.

Madelyn Helling – 336 Gracie Rd

Stated there is a misunderstanding with historical artifacts. The Historical Society cares about the artifacts.

Chuck Durrett – 507 Redbud Way

Stated that he was inspired by the design but suggests adding steps on the north side (BofA).

Barbara Mark – 126 Orchard St

Questioned the actual size of the park and was told 100' x 60'. Ms. Mark stated the plan lacks lighting, water cannon not inviting when you enter town and should be removed, and please no murals.

Pat Dyer – Utopian Stone

Stated that this process is "much a do about nothing" and the issues of the park need to be tweaked to work. The artifacts should be retained for "Queen of the Northern Mines" because that is Nevada City. The park we have does work and with minor changes will make a difference; take small steps.

Mali Dyck – Manager for Farmers Market

Stated that the market looked into expanding into the park but can't because no flat areas, drinking fountains are advisable.

Barbara Sucovet – Non-Resident

Stated that she agrees with Pat Dyer and keep vision about heritage because Nevada City is on the National Registry; Police Department needs to have a greater presence in a proactive way.

Glenda Zanone – 503 Nevada St

Stated that the artifacts should stay; she volunteers at the Chamber of Commerce and many visitors are attracted to them. She urges the Council read Steve Cottrell's comments received in their packets; she indicated there seems to be a disconnect of the plan and the report regarding the trees. Recommends minor changes, start slow, save money.

Bob Wright – Committee Member

Stated the artifacts issue is sensitive and should be considered deeply. This plan opens the park a lot and appears attractive to families.

Chris Kysar – California Organics

Stated that the design is great but concerned about the planting improvements to embrace our history; appreciates the work put into this plan.

- Councilmember McKay thanked the committee for all the work done on the design; Public comments were excellent; this design is about trees and benches and feels a holiday tree is important. Drinking fountain is a very good idea. Keeping the mining artifacts belong in Nevada City. Agrees with Bob Wright to bring awareness on Sawyer Act. Likes the connection between Commercial St and Broad Street.
 - Councilmember Coffman stated that there is a bit of an over reaction on the artifacts; would like to see a clean up, not having as many there and having more through town. A great project for the Historical Society is to create a comprehensive history/walking tour. The artifacts are not all relevant to the park; strong supporter of the monitor staying in some location; in favor of removing the core sample and return to it's owner will create more space in the park and is hazardous (a liability to the city). Favorable of working toward a really useful facility and thanked the committee.
 - Councilmember Harris thanked the committee for the work with a respectful tone to the report. Likes the welcoming and non-threatening design; entrance way to the city. Convinced that it's an incredible design if 3 architects agree it's a good plan. Vision – value some of the things we have and see how it can be more useful and beautiful, 3) Artifacts are important, should tell a story (go into the park and read and know) and cherish those things of historical importance that were gifted. We want to embrace our community by not giving a gift back. Needs to be valued. Lighting is a good idea, and workshops are an excellent idea. Like to us to think in a phased or incremental approach because of timing and money; things could be done in the near term to perk it up. Funding resources are available (i.e. grants) and we need to take advantage of them. Terrific step forward, need more public input. Save as many trees as we reasonably can; refer to our own tree ordinance and comply, need to tread carefully in having two different standards.
 - Mayor Senum agreed with the Council with saving the artifacts with implementing a story to them; more public input, it's a beautiful design. The current slope of the park doesn't allow for strollers and more events; having stages would encourage more events; dream and put what we want there and know the money is out there.
 - Councilmember Coffman made clarification that on the plan, most of the removal are shrubs, there are not a lot of trees in the park.
- Gary Tintle apologized for his inadequate communication of his feelings about the artifacts based on a letter from an individual that got them off track.

Direction: Committee to continue but and to develop a near term and long term plan and to work with public works and to do a general clean up for the AMGEN Tour in the next couple of months. In the long term, look into a public workshop/participation in regards to the public comments that were heard tonight.

PUBLIC HEARINGS

None

5. OLD BUSINESS:

A. Subject: Consider Resolution No. 2010-05 City Council of Nevada City in Support of Public Libraries in Nevada County

Madelyn Helling – 336 Gracie Rd

Thanked the Council for a wonderful job and for catching the spirit, meaning, and importance of the library to stay local.

Action: Motion by Coffman, seconded by McKay to approve Resolution 2010-05 as submitted.
(Approved 5 – 0)

6. NEW BUSINESS:

A. Subject: Consider Options for City Restroom Facilities at 101 Nevada Street

Action:

Pulled from Agenda and reschedule for next Council meeting.

B. Subject: Consider Submitting a Grant Application to California Dept of Housing and Community Development for a Catalyst Project for California Sustainable Strategies – Pilot Program Concept for EcoDistricts – Note: If Council approves the program, it is necessary for the Council to consider Resolution No. 2010-XX Authorizing Submitting the Grant Application.

Tamara White with EcoDistrict provided a power point presentation on EcoDistrict to introduce certain grant monies available for a catalyst retro-fit project for 250 residents in Nevada City.

Mali Dyck – 412 Commercial St

Stated that the A.P.P.L.E. Center provides exhibits on retrofitting that focuses on sustainability and encouraged the Council to come learn about different ways to retrofit.

Tania Carlone – 544 E Broad St

Stated that she hesitates to make a comment because when she was before the Council and presented a grant proposal with American Rivers, she got frustrated that Council was not interested in her presentation regarding storm water protection and indicated it was due to lack of education on their part. She suggested that Council learn about EcoDistrict.

7. CORRESPONDENCE:

- A. Letter from Comcast Noting government Affairs Contact Changes
- B. Letter from Comcast Re: HD Tech and Additional Outlet Fees Notice
- C. Letter from Comcast Re. Price Implementation for Self Install Kits
- D. Letter from Nevada County Environmental Health of Intention to Conduct Waste Tire Enforcement Program in Nevada City.

Action: Received and filed.

8. ANNOUNCEMENTS

None

9. CITY MANAGER'S REPORT

Action: Received and filed.

10. ADJOURNMENT TO CLOSED SESSION: No Closed Session

11. ADJOURNMENT:

Action: Motion made by Harris, seconded by Coffman to adjourn the meeting at 10:10 p.m.
(Approved 5 – 0)

Reinette Senum, Mayor

ATTEST:

Niel Locke, City Clerk

